



Judicial Council of California
Administrative Office of the Courts

Trial Court Financial Policies and Procedures

Procedure No. Appendix E
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RULE OF COURT 810

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2002 California Rules of Court

Rule 810. Court Operations¹

(a) [Definition] Except as provided in subdivision (b) and subject to the requirements of subdivisions (c) and (d), "court operations" as defined in Government Code section 77003 includes the following costs:

- (1) (*judicial salaries and benefits*) salaries, benefits, and public agency retirement contributions for superior and municipal court judges and for subordinate judicial officers;
- (2) (*nonjudicial salaries and benefits*) salaries, benefits, and public agency retirement contributions for superior and municipal court staff whether permanent, temporary, full- or part-time, contract or per diem, including but not limited to all municipal court staff positions specifically prescribed by statute and county clerk positions directly supporting the superior courts.
- (3) salaries and benefits for those sheriff, marshal, and constable employees as the court deems necessary for court operations in superior and municipal courts and the supervisors of those sheriff, marshal, and constable employees who directly supervise the court security function;
- (4) court-appointed counsel in juvenile dependency proceedings, and counsel appointed by the court to represent a minor as specified in Government Code section 77003;
- (5) (*services and supplies*) operating expenses in support of judicial officers and court operations;
- (6) (*collective bargaining*) collective bargaining with respect to court employees; and
- (7) (*indirect costs*) a share of county general services as defined in subdivision (d), Function 11, and used by the superior and municipal courts.

(Subd (a) amended effective July 1, 1995; previously amended effective January 1, 1989, July 1, 1990, July 1, 1991.)

¹ Source, Administrative Office of the Courts website, www.courtinfo.ca.gov/rules/2002/titletwo/801-892-04.htm#P92_5925.

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(b) [Exclusions] Excluded from the definition of "court operations" are the following:

- (1) law library operations conducted by a trust pursuant to statute;
- (2) courthouse construction and site acquisition, including space rental (for other than court records storage), alterations/remodeling, or relocating court facilities;
- (3) district attorney services;
- (4) probation services;
- (5) indigent criminal and juvenile delinquency defense;
- (6) civil and criminal grand jury expenses and operations (except for selection);
- (7) pretrial release services;
- (8) equipment and supplies for use by official reporters of the courts to prepare transcripts as specified by statute; and
- (9) county costs as provided in subdivision (d) as unallowable.

(Subd (b) amended effective July 1, 1995; adopted effective July 1, 1988 as subd (c); previously amended January 1, 1989, July 1, 1990.)

(c) [Budget appropriations] Costs for court operations specified in subdivision (a) shall be appropriated in county budgets for superior and municipal courts, including contract services with county agencies or private providers except for the following:

- (1) salaries, benefits, services, and supplies for sheriff, marshal, and constable employees as the court deems necessary for court operations in superior and municipal courts;
- (2) salaries, benefits, services, and supplies for county clerk activities directly supporting the superior court; and
- (3) costs for court-appointed counsel specified in Government Code section 77003.

Except as provided in this subdivision, costs not appropriated in the budgets of the courts are unallowable.

(Subd (c) amended effective July 1, 1995; adopted effective July 1, 1990 as subd (d).)

(d) [Functional budget categories] Trial court budgets and financial reports shall identify all allowable court operations in the following eleven (11) functional budget categories. Costs for salary, wages, and benefits of court employees are to be shown in the appropriate functions provided the individual staff member works at least 25 percent time in that function. Individual staff members whose time spent in a function is less than 25 percent are reported in Function 10, All Other Court Operations. The functions and their respective costs are as follows:

Function 1. Judicial Officers

Costs reported in this function are
Salaries and state benefits of

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Judges
Full- or part-time court commissioners
Full- or part-time court referees
Assigned judges' in-county travel expenses
Costs not reported in this function include
County benefits of judicial officers (Function 10)
Juvenile traffic hearing officers (Function 10)
Mental health hearing officers (Function 10)
Pro tem hearing officers (Function 10)
Commissioner and referee positions specifically excluded by statute from state trial court funding (unallowable)
Related data processing (Function 9)
Any other related services, supplies, and equipment (Function 10)

Function 2. Jury Services

Costs reported in this function are
Juror expenses of per diem fees and mileage
Meals and lodging for sequestered jurors
Salaries, wages, and benefits of jury commissioner and jury services staff (including selection of grand jury)
Contractual jury services
Jury-related office expenses (other than information technology)

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Jury-related communications, including “on call” services
Costs not reported in this function include
Juror parking (unallowable)
Civil and criminal grand jury costs (unallowable)
Jury-related information systems (Function 9)

Function 3. Verbatim Reporting

Costs reported in this function are
Salaries, wages, and benefits of court reporters who are court employees
Salaries, wages, and benefits of electronic monitors and support staff
Salaries, wages, and benefits of verbatim reporting coordinators and clerical support staff
Contractual court reporters and monitors
Transcripts for use by appellate or trial courts, or as otherwise required by law
Related office expenses and equipment (purchased, leased, or rented) used to record court proceedings, except as specified in Government Code §68073, e.g., notepaper, pens, and pencils ER equipment and supplies
Costs not reported in this function include
Office expenses and equipment for use by reporters to prepare transcripts (unallowable)

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Expenses specified in Government Code §69073 (unallowable)
Space use charges for court reporters (unallowable)

Function 4. Court Interpreters

Costs reported in this function are
Salaries, wages, and benefits of courtroom interpreters and interpreter coordinators
Per diem and contractual courtroom interpreters, including contractual transportation and travel allowances
Costs not reported in this function include
Related data processing (Function 9)
Any other related services, supplies, and equipment (Function 10)

Function 5. Collections Enhancement

Collections performed in the enforcement of court orders for fees, fines, forfeitures, restitutions, penalties, and assessments (beginning with the establishment of the accounts receivable record)
Costs reported in this function are
Salaries, wages, and benefits of collection employees of the court, e.g., financial hearing officers evaluation officers collection staff
Contract collections costs
County charges for collection services provided to the court by county agencies

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Related services, supplies, and equipment (except data processing, Function 9)
Costs not reported in this function include
Staff whose principal involvement is in collecting “forthwith” payments, e.g., counter clerks (Function 10) cashiers (Function 10)

Function 6. Dispute Resolution Programs

Costs reported in this function are
Arbitrators’ fees in mandatory judicial arbitration programs
Salaries, wages, and benefits of court staff providing child custody and visitation mediation and related investigation services, e.g., Director of Family Court Services mediators conciliators investigators clerical support staff
Contract mediators providing child custody and visitation mediation services
Salaries, wages, benefits, fees, and contract costs for other arbitration and mediation programs (programs not mandated by statute), e.g., arbitration administrators clerical support staff arbitrators’ fees and expenses
Costs not reported in this function include
Related data processing (Function 9)
Any other related services, supplies, and equipment (Function 10)

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Function 7. Court-Appointed Counsel (Noncriminal)

Costs reported in this function are
Expenses for court-appointed counsel as specified in Government Code §77003

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Function 8. Court Security

<p>Court security services as deemed necessary by the court. Includes only the duties of</p> <p>(a) courtroom bailiff,</p> <p>(b) perimeter security (i.e., outside the courtroom but inside the court facility), and</p> <p>(c) at least .25 FTE dedicated supervisors of these activities.</p>
Costs reported in this function are
<p>Salary, wages, and benefits (including overtime) of sheriff, marshal, and constable employees who perform the court's security, i.e.,</p> <p style="padding-left: 40px;">bailiffs</p> <p style="padding-left: 40px;">weapons-screening personnel</p>
<p>Salary, wages, and benefits (including overtime) of court staff performing court security, e.g.,</p> <p style="padding-left: 40px;">court attendants</p>
Contractual security services
Salary, wages, and benefits of supervisors of sheriff, marshal, and constable employees whose duties are greater than .25 FTE dedicated to this function
Sheriff, marshal, and constable employee training
Purchase of security equipment
Maintenance of security equipment
Costs not reported in this function include
Other sheriff, marshal, or constable employees (unallowable)
Court attendant training (Function 10)
Overhead costs attributable to the operation of the sheriff and marshal offices

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(unallowable)
Costs associated with the transportation and housing of detainees from the jail to the courthouse (unallowable)
Service of process in civil cases (unallowable)
Services and supplies, including data processing, not specified above as allowable
Supervisors of bailiffs and perimeter security personnel of the sheriff, marshal, or constable office who supervise these duties less than .25 FTE time (unallowable)

Function 9. Information Technology

Costs reported in this function are
Salaries, wages, and benefits of court employees who plan, implement, and maintain court data processing and information technologies, e.g., programmers analysts
Contract and consulting services associated with court information/data processing needs and systems
County Information Systems/Data Processing Department charges made to court for court systems, e.g., jury-related systems court and case management, including courts' share of a criminal justice information system accounts receivable/collections systems
Related services, supplies, and equipment, e.g., software purchases and leases maintenance of automation equipment training associated with data processing systems' development

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Costs not reported in this function include
Information technology services not provided directly to the courts (i.e., services used by other budget units)
Data processing for county general services, e.g., payroll, accounts payable (Function 11)

Function 10. All Other Court Operations

Costs reported in this function are

Salaries, wages, and benefits (including any pay differentials and overtime) of court staff

(a) not reported in Functions 2-9, or

(b) whose time cannot be allocated to Functions 2-9 in increments of at least 25 percent time (.25 FTE);

Judicial benefits, county-paid

Allowable costs not reported in Functions 2-9.

(Nonjudicial staff) Cost items may include, for example,

juvenile traffic hearing officer

mental health hearing officer

court-appointed hearing officer (pro tem)

executive officer

court administrator

clerk of the court

administrative assistant

personnel staff

legal research personnel; staff attorney; planning and research staff

secretary

courtroom clerk

clerical support staff

calendar clerk

deputy clerk

accountant

cashier

counter clerk

microfilming staff

management analyst

probate conservatorship and guardianship investigators

probate examiner
training staff employed by the court

Personnel costs not reported in this function:

Any of the above not employed by the court

(Services and supplies) Cost items may include, for example,

office supplies
printing
postage
communications
publications and legal notices, by the court
miscellaneous departmental expenses
books, publications, training fees, and materials for court personnel (judicial and nonjudicial)
travel and transportation (judicial and nonjudicial)
professional dues
memberships and subscriptions
statutory multidistrict judges' association expenses
research, planning, and program coordination expenses
small claims advisor program costs
court-appointed expert witness fees (for the court's needs)
court-ordered forensic evaluations and other professional services (for the court's own use)
pro tem judges' expenses
micrographics expenses
public information services
vehicle use, including automobile insurance
equipment (leased, rented, or purchased) and furnishings, including interior painting, replacement/maintenance of flooring, and furniture repair
maintenance of office equipment
janitorial services
legal services for allowable court operations (County Counsel and contractual)
fidelity and faithful performance insurance (bonding and personal liability

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<p>insurance on judges and court employees)</p> <p>insurance on cash money and securities (hold-up and burglary)</p> <p>general liability/comprehensive insurance for other than faulty maintenance or design of facility (e.g., "slip and fall," other injury, theft and damage of court equipment, slander, discrimination)</p> <p>risk management services related to allowable insurance</p> <p>space rental for court records</p> <p>county records retention/destruction services</p> <p>county messenger/mail service</p> <p>court audits mandated under Government Code §71383</p>
<p>Service and supply costs not reported in this function include</p> <p>Civic association dues (unallowable)</p> <p>Facility damages insurance (unallowable)</p> <p>County central service department charges not appropriated in the court budget (unallowable)</p>

Function 11. County General Services (“Indirect Costs”)

<p>General county services are defined as all eligible accounting, payroll, budgeting, personnel, purchasing, and county administrator costs rendered in support of court operations. Costs for included services are allowable to the extent the service is provided to the court. The following costs, regardless of how characterized by the county or by which county department they are performed, are reported in this function only and are subject to the statutory maximum for indirect costs as specified in Government Code §77003. To the extent costs are allowable under this rule, a county’s approved Cost Plan may be used to determine the specific cost although the cost categories, or functions, may differ.</p>
<p>Cost items within the meaning of rule 810(a)(7) and the county departments often performing the service may include, for example,</p> <p>County Administrator</p> <p>budget development and administration</p> <p>interdepartmental budget unit administration and operations</p>

personnel (labor) relations and administration

Auditor-Controller

- payroll
- financial audits
- warrant processing
- fixed asset accounting
- departmental accounting for courts, e.g., fines, fees, forfeitures, restitutions, penalties, and assessments; accounting for the Trial Court Special Revenue Fund
- accounts payable
- grant accounting
- management reporting
- banking

Personnel

- recruitment and examination of applicants
- maintenance and certification of eligible lists
- position classification
- salary surveys
- leave accounting
- employment physicals
- handling of appeals

Treasurer/Tax Collector

- warrant processing
- bank reconciliation
- retirement system administration
- receiving, safeguarding, investing, and disbursing court funds

Purchasing Agent

- process departmental requisitions
- issue and analyze bids
- make contracts and agreements for the purchase or rental of personal property

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store surplus property and facilitate public auctions

Unallowable costs

Unallowable court-related costs are those

- (a) in support of county operations,
- (b) expressly prohibited by statute,
- (c) facility-related, or
- (d) exceptions of the nature referenced in Functions 1-11.

Unallowable cost items, including any related data processing costs, are not reported in Functions 1-11 and may include, for example,

Communications

central communication control and maintenance for county emergency and general government radio equipment

Central Collections

processing accounts receivable for county departments (not courts)

County Administrator

legislative analysis and activities

preparation and operation of general directives and operating procedures
responses to questions from the Board, outside agencies, and the public
executive functions: Board of Supervisors
county advisory councils

Treasurer/Tax Collector

property tax determination, collection, etc.

General Services

rental and utilities support
coordinate county's emergency services

Property Management

negotiations for the acquisition, sale, or lease of property, except for space

rented for storage of court records
making appraisals
negotiating utility relocations
assisting County Counsel in condemnation actions
preparing deeds, leases, licenses, easements
collecting rents
building lease management services (except for storage of court records)

Facility-related

construction services
right-of-way and easement services
purchase of land and buildings
construction
depreciation of buildings/use allowance
space rental/building rent (except for storage of court records)
building maintenance and repairs (except interior painting and to replace/repair flooring)
purchase, installation, and maintenance of H/V/A/C equipment
maintenance and repair of utilities
utility use charges (e.g., heat, light, water)
elevator purchase and maintenance
alterations/remodeling
landscaping and grounds maintenance services
exterior lighting and security
insurance on building damages (e.g., fire, earthquake, flood, boiler and machinery)
grounds' liability insurance
parking lot or facility maintenance
juror parking

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(Subd (d) amended and relettered effective July 1, 1995.)

Rule 810 amended effective July 1, 1995; adopted effective July 1, 1988; previously amended effective January 1, 1989, July 1, 1990, July 1, 1991.

Drafter's Notes

1988-Rule 810 specifies what budget items are costs of court operations under Government Code section 77001 and are eligible for funding under the Trial Court Funding Act. Pursuant to the rule, the council published a List of Approved Costs.

The council amended the List by eliminating a previous limit of one sheriff, marshal, or constable per judicial position.

Rule 810 clarifies the meaning of "court operations" as stated in Gov C §77003 of the Trial Court Funding Act of 1985. To conform to recent legislation (Stats. 1988, ch. 945), the council amended the rule to include within the definition of court operations the cost of collective bargaining. The council made conforming amendments to the List of Approved Costs.

1995-On the recommendation of the Trial Court Budget Commission, the council amended rule 810, which identifies the costs eligible for state funding under the Trial Court Funding Program, to clarify allowable costs and to ensure greater consistency among counties in cost reporting.